



UNITED STATES PATENT AND TRADEMARK OFFICE

mN

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,708	08/05/2003	Juan R. Loaiza	O17011443001	1877

23639 7590 07/16/2007
BINGHAM MCCUTCHEN LLP
Three Embarcadero Center
San Francisco, CA 94111-4067

EXAMINER

LY, CHEYNE D

ART UNIT	PAPER NUMBER
----------	--------------

2168

MAIL DATE	DELIVERY MODE
-----------	---------------

07/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/635,708

Applicant(s)

LOAIZA ET AL.

Examiner

Cheyne D. Ly

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.130(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/23/07; 3/23/07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicants' arguments filed April 13, 2007 have been fully considered and they are deemed to be persuasive. Rejections and/or objections not reiterated from previous office actions are hereby withdrawn. The following rejections and/or objections are newly applied. They constitute the complete set presently being applied to the instant application.
2. Claims 15-45 are examined on the merits.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 15-24, 26-34, and 36-44 are rejected under 35 U.S.C. 102(e)(2) as being anticipate by Downing et al. (US 6,289,335B1) (Downing hereafter).

CLAIM INTERPRETATIONS

5. The instant specification describes "recovery logs record information about the database data, such as changes to the database data or the state of database data as of a point in time" (page 1). Downing discloses logs such as "a master log" is for detecting a modification to the master table (column 3, lines 55-57). Therefore, the disclosure of logs for detecting changes in a database by Downing has been reasonably interpreted as the claimed "recovery logs."

BASIS FOR PRIOR-ART

6. In regard to claim 15, Downing discloses a method of accessing database recovery logs, said method comprising:

selecting one or more of said database recovery logs to access (column 7, line 13, e.g.

“order line log”);

establishing a view of said one or more database recovery logs (Figures 5(a)-(c));

insulating said view from a format of said one or more database recovery logs

(Figures 5(a)-(c));

issuing a database statement to query said view (column 12, lines 15-38, e.g. QUERY 4a); and

retrieving data from said one or more database recovery logs in response to said database statement (column 12, lines 15-38, e.g. QUERY 4a).

7. In regard to claim 16, Downing discloses insulating said view comprises:

Generating a data dictionary snapshot (column 5, line 42, e.g. a snapshot definition query has been interpreted as data dictionary); and

Translating said data using said data dictionary snapshot (column 2, lines 1-9, e.g.

Since a snapshot also stores administrative information, the database system presents to Smith a snapshot view, which hides the administrative information).

8. In regard to claim 17, Downing discloses data is translated into an external data format (column 2, lines 1-9, e.g. a snapshot view, which hides the administrative information which represents an external format).

9. In regard to claim 18, Downing discloses time and/or date boundaries are established for said recovery logs (column 12, lines 15-38, e.g. QUERY 4a, especially, "TIME\$\$")
10. In regard to claim 19, Downing discloses wherein said database statement is a SQL statement (column 12, lines 15-38, e.g. QUERY 4a).
11. In regard to claim 20, Downing discloses said recovery logs comprise an a redo log (column 3, lines 55-60, e.g. "refresh").
12. In regard to claims 21 and 23, Downing discloses said view is a relational view comprising at least one row and at least one column (Figures 5(a)-(c)). The inclusion of Alexander et al. is not being used as prior art, but only to support that it is well know in the art that a "view is a relational table that does not exist in physical storage but is derived from one or more base tables (Alexnder et al., column 2, lines 41-44).
13. In regard to claim 22, Downing discloses said view is formed from a plurality of said recovery logs (Figure 9(a) and (b), e.g. "process master logs").
14. In regard to claim 24, Downing discloses constructing a virtual table using data from said one or more database recovery logs (Figures 4(a) to (c), e.g. ORDER_LINE LOG), wherein a format of said virtual table is different than the format of said one or more database recovery logs (Figures 7(a) to (b), e.g. ORDER_LINE SNAPSHOT VIEW).
15. In regard to claims 26-34 and 36-44, Downing discloses the computer program and system (column 4, line 65, to column 5, line 39, and Figure 1) for the above cited method.

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

18. Claims 25, 35, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downing et al. (US 6,289,335B1) (Downing hereafter) as cited above.

19. Downing describes the claimed invention of claims 25, 35, and 45. However, Downing is silent about the limitation of "the format of said virtual table does not change when the format of said recover logs change." As discussed above, Downing describes the views (virtual table) are specified by the query definitions. Further, as illustrated by the ORDER_LINE LOG (Figure 4(a) item 402, and Figure 7(a) item 402 wherein the formats of the respective virtual table is defined by the query definitions which result the format being different from that of the ORDER_LINE LOG. Therefore, it would have been reasonable to interpret that the format of said virtual table as defined by the query definitions does not change when the format of said recover logs change. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to recognize that the format of

virtual table as defined by the query definitions in Downing does not change when the format of said recover logs change.

CONCLUSION

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sun et al. (US 5,963,959).

21. Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

22. For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199. The USPTO's official fax number is 571-272-8300.

Art Unit: 2168

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Dune Ly, whose telephone number is (571) 272-0716. The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo, can be reached on (571) 272-3642.

C. Dune Ly
Patent Examiner
7/8/07

